

in Cartagenova attaches to the clippers below the jaws to catch the clippings. The housing set forth in Cartagenova does not cover the sides of the nail clippers. As the nail clipper is operated, the nail clippings can shoot out the sides of the nail clipper and thus are not caught by the nail clipper receptacle taught by Catagenova.

Cartagenova includes a receptacle top which has a length less than that of the sides but the top of Cartagenova is not the functional equivalent of the housing top claimed in the present invention. The top portion of the housing as claimed in the present application fits over the body of the nail clipper and presents an opening “to allow actuation of the lever and the jaws of the nail clippers.” Cartagenova does not include or suggest a functionally equivalent structure. Accordingly, applicant respectfully requests that the Examiner’s rejections based on the Cartagenova reference be withdrawn.

Claims 3, 5, 16 and 18 stand rejected under 35 U. S. C. § 103(a) as being unpatentable over U. S. Patent No. 5,653,024 to Cartagenova in view of U. S. Patent No. 5,423,124 to Marroco. As set forth hereinabove, Cartagenova does not disclose or suggest all of the elements of independent claims 1 and 14, which are thus allowable. Additionally, these elements are not disclosed or suggested by Marroco. Accordingly, claims 3, 5, 16 and 18 which depend from claims 1 and 14 are also allowable.

Claims 4 and 7 stand rejected under 35 U. S. C. § 103(a) as being unpatentable over U. S. Patent No. 5,653,024 to Cartagenova in view of U. S. Patent No. 6,009,880 to Weidich. As set forth hereinabove, Cartagenova does not disclose or suggest all of the elements of independent claims 1 and 14, which are thus allowable. Additionally, these elements are not

disclosed or suggested by Weidich. Accordingly, claims 4 and 17 which depend from claims 1 and 14 are also allowable.

Accordingly, applicant requests that the application be passed to allowance.

Respectfully submitted,



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